

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

At Wheeling

CORNELL MANAGEMENT COMPANY, LLC,
a foreign corporation,

Plaintiff,

v.

Civil Action No. 5:04-CV-22
Honorable Frederick P. Stamp, Jr.

LEXINGTON INSURANCE COMPANY,
a foreign corporation, FIREMAN'S
FUND INSURANCE COMPANY,
a foreign corporation, BRADY
RISK MANAGEMENT, INC., a
foreign corporation, and
HARTAN BROKERAGE, INC.,
A foreign corporation,

Defendants.

PARTIAL DISMISSAL ORDER

Came this day the Plaintiff, by its counsel, Brent K. Kesner and the law firm of Kesner, Kesner & Bramble, and came the Defendant, Lexington Insurance Company, by its counsel, Charles Bailey and the law firm of Bailey & Wyant, PLLC; whereupon the Court was advised that these parties have resolved all matters and issues in dispute between them by agreement, and whereupon Motion was made that the Court dismiss the Plaintiff's claims against Lexington Insurance Company, with prejudice.

And the Court, hearing no objection to the aforesaid Motion, and believing the same to be proper, is of the opinion to and does hereby **ORDER** that the Plaintiff's claims against Lexington Insurance Company should be and the same are hereby **DISMISSED**, with prejudice, to the Plaintiff and to the Defendant Lexington Insurance Company.

The Clerk of the Court is instructed to forward certified or attested copies of this Order to counsel of record as follows:

Brent K. Kesner, Esq.
Kesner, Kesner & Bramble, PLLC
Post Office Box 2587
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Counsel for Plaintiff

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Counsel for Lexington Insurance Company

Melvin F. O'Brien, Esq.
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1233 Main Street - Suite 2002
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Counsel for Brady Risk Management, Inc

Enter this 11th day of September, 2007.



Honorable Frederick P. Stamp

Prepared By:

/s/ Brent K. Kesner
Brent K. Kesner (WV Bar #2022)
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Approved by:

/s/ Charles R. Bailey
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/s/ Melvin O'Brien
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